

To: "Nepstad, Michael G SPK" [Michael.G.Nepstad@usace.army.mil]
Cc: Paul Jones/R9/USEPA/US@EPA; Erin Foresman/R9/USEPA/US@EPA[]; rin
Foresman/R9/USEPA/US@EPA[]
From: "Finan, Michael C SPK"
Sent: Mon 8/29/2011 4:49:24 PM
Subject: FW: Proposed methods for preliminary jd and condition assessment for BDCP
conveyance options (UNCLASSIFIED)
DWR Concurrence Letter on BDCP Methods.docx

Classification: UNCLASSIFIED
Caveats: NONE

Michael, Attached is a copy of EPA's proposed letter. We could send a similar one if OK with you. I don't see any big problems in final DWR documents Gail sent us on Friday. Paul, I didn't intend to say they must use New England Highway instead of CRAM. Just trying to say that if using CRAM was problematic, due to access or logistical issues mentioned during our last meeting, other methods (e.g., HGM) are options for functional assessments. Thanks,

Michael Finan, Wetland Specialist
U.S. Army Corps of Engineers
Sacramento District, Regulatory Division
650 Capitol Mall, Suite 5-200
Sacramento, California 95814-4708
PH: (916) 557-5324 (9-3); FAX: 916-930-9506
michael.c.finan@usace.army.mil

* We want your feedback! Take the survey:
<http://per2.nwp.usace.army.mil/survey.html>
* Need information on the Regulatory Program? Visit our website:
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>
BUILDING STRONG(r)

-----Original Message-----

From: Jones.Paul@epamail.epa.gov [mailto:Jones.Paul@epamail.epa.gov]
Sent: Monday, August 29, 2011 9:14 AM
To: Foresman.Erin@epamail.epa.gov
Cc: Finan, Michael C SPK
Subject: Re: Proposed methods for preliminary jd and condition assessment for BDCP conveyance options

Hi: I am fine with responding to the email. It occurs to me that we can make mention of the meetings we have had and the electronic transmittal of the final proposed approaches.

I am sure that Dale HF is involved as Karen asked me for an update before a recent phone call with her.

I will include a copy of the draft approval letter FYI. Please mark up and return.

Mike, I am a bit concerned over one of your comments that they consider using the New England Highway method. The whole idea is to embrace the CRAM-based approach and not some other one. So your mention of another method was confusing to me. I hope and trust you are on board with the methodology they are embracing, which is essentially the state's approved approach advancing the Wetland and Riparian Area Monitoring Strategy (as endorsed by Dale HF, Jon Bishop and the Monitoring Council on behalf of the secretaries of the Resources Agency and Cal EPA, respectively).

Erin, once you're OK with this letter, I'll get it signed and on its way.

Paul

~~~~~  
Paul Jones  
US Environmental Protection Agency  
75 Hawthorne Street (WTR-8)  
San Francisco, CA 94105  
Phone: 415-972-3470  
Fax: 415-947-3537  
jones.paul@epa.gov  
~~~~~

From: Erin Foresman/R9/USEPA/US
To: Paul Jones/R9/USEPA/US@EPA, michael.c.finan@usace.army.mil
Date: 08/29/2011 08:56 AM
Subject: Re: Proposed methods for preliminary jd and condition
assessment for BDCP conveyance options

Hey Mike and Paul,
This is just me maybe being a little too formal, but I think DWR should send a hard copy letter requesting concurrence if they are asking for a hard copy-letter head approval from Corps and EPA. It is awkward to supply that concurrence in response to the email below. I assume Gail okayed it with Dale HF before sending it to us so maybe it is fine this way. If you are ready to concur on the methods transmitted below (or whenever you think it is ready), maybe it is just as good and more practical to write the letter-head concurrence in response to Gail's email and include the email with attachments it in the response at attachments?

Erin Foresman
Environmental Scientist & Policy Coordinator, US EPA Region 9 C/O Army Corps
of Engineers 650 Capitol Mall Suite 5-200, Sacramento, CA 95814
Phone: (916) 557 5253, Fax: (916) 930 9506

<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>
<<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>>

-----"Kuenster, Gail" <kuenster@water.ca.gov> wrote: -----

To: Paul Jones/R9/USEPA/US@EPA, "Nepstad, Michael G SPK"
<Michael.G.Nepstad@usace.army.mil>

From: "Kuenster, Gail" <kuenster@water.ca.gov>

Date: 08/26/2011 11:34AM

Cc: "Finan, Michael C SPK" <Michael.C.Finan@usace.army.mil>, Erin
Foresman/R9/USEPA/US@EPA, Robert Leidy/R9/USEPA/US@EPA, Erin
Foresman/R9/USEPA/US@EPA

Subject: Proposed methods for preliminary jd and condition assessment for
BDCP conveyance options

Paul and Mike,

Attached are DWR's proposed approaches to both the preliminary jurisdictional
determination and condition assessment for the conveyance options addressed
in the BDCP EIR/EIS. We have incorporated edits to the draft documents after
receiving comments from both the USACE and USEPA.

As we discussed at our last meeting on July 7, DWR is requesting concurrence
that these methodologies are acceptable to the USACE and USEPA for assessing
impacts to Waters of the U.S. including Wetlands for use in the Section
404(b)(1) Alternatives Analysis.

If you concur, please address the letter to Rich Sanchez with cc's to the
others listed below. If you have questions or concerns, please contact me.
The names and addresses are listed below.

Thank you,

Gail

Gail Kuenster
Division of Environmental Services
Department of Water Resources
3500 Industrial Blvd.
West Sacramento, CA 95691
(916) 376-9780

Rich Sanchez, Chief Division of Engineering Executive Manager, Delta Habitat
Conservation and Conveyance Program Department of Water Resources
1416 9th Street
Sacramento, CA 95814

Dale Hoffmann-Floerke, Deputy Director
Delta and Statewide Water Management
Department of Water Resources
1416 Ninth Street, Room 1155
Sacramento, CA 95814

Dean Messer, Chief
Division of Environmental Services
Department of Water Resources
3500 Industrial Blvd.
West Sacramento, CA 95691

Russell Stein, Chief
Environmental Management, DHCCP
Department of Water Resources
901 P Street, Room 432
Sacramento, CA 95814

Cassandra Enos-Nobriga
Permit Manager, DHCCP
Department of Water Resources
901 P Street, Room 428
Sacramento, CA 95814

Michelle Morrow
Staff Counsel III, BDCP
Office of the Chief Counsel
Department of Water Resources
1416 Ninth Street, Room 1118
Sacramento, CA 95814

Jean Witzman
Staff Environmental Scientist
Division of Environmental Services
Department of Water Resources
3500 Industrial Blvd.
West Sacramento, CA 95691

Gail Kuenster
Division of Environmental Services
Department of Water Resources
3500 Industrial Blvd.
West Sacramento, CA 95691

[attachment "BDCP Proposed Method for Mapping Waters of the US including Wetlands 082611.docx" removed by Erin Foresman/R9/USEPA/US] [attachment "BDCP Proposed Wetland Assessment Approach 082611.docx" removed by Erin Foresman/R9/USEPA/US]

Classification: UNCLASSIFIED
Caveats: NONE